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 March 18, 2022 10:28 AM
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 WESTERN DISTRICT OF MICHIGAN
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Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

WESTERN for the MICHIGAN

District of

SOUTHERN Division

1:22-cv-253
Janet T. Neff
U.S. District Judge

Case No. _____

(to be filled in by the Clerk's Office)

VIRGINIA LAZZU, IDTA, LLC,

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

**BERKSHIRE HATHAWAY DIRECT
 INSURANCE COMPANY,**

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Virginia Lazzu, IDTA, LLC
Street Address	P.O. Box 97
City and County	Bigelow- Nobles County
State and Zip Code	Minnesota 56117
Telephone Number	(507) 350-9061
E-mail Address	virginalazzu@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name	Berkshire Hathaway Direct Insurance Company
Job or Title <i>(if known)</i>	biBERK Business Insurance
Street Address	P.O. Box 113247
City and County	Stamford- Fairfield County
State and Zip Code	Connecticut 06911-3247
Telephone Number	(844) 472-0966
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* IDTA, LLC, is incorporated under the laws of the State of *(name)* Michigan, and has its principal place of business in the State of *(name)* Michigan.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

b. If the defendant is a corporation

The defendant, (name) Berkshire Hathaway Company, is incorporated under the laws of the State of (name) Connecticut, and has its principal place of business in the State of (name) Connecticut.
 Or is incorporated under the laws of (foreign nation) _____,
 and has its principal place of business in (name) Connecticut.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Plaintiff Lazzu, states that she is filing suit in the sum of \$85,000.00, against Defendant biBERK Business Insurance.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Plaintiff Lazzu, asserts that IDTA, LLC is owed the sum of \$85,000.00 as the result of a breach of contract by Defendant-Berkshire Hathaway Direct Insurance Company in which violates Michigan law. To be entitled to relief Plaintiff claiming a breach of contract must prove "(1) that there was a contract, (2) that the other party breached the contract, and (3) that the party asserting breach of contract suffered damages as a result of the

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

WHEREFORE, Plaintiff Lazzu of IDTA, LLC, respectfully request that this Honorable Court and/ or a Jury award the sum of \$85,000.00, as Defedant's are so liable as the result of the breach of contract in the case herein.

Continuation of III. Statement of Claim

breach." Doe v. Henry Ford Health Sys., 308 Mich. App. 592, 601; 865 NW2d 915 (2014).

(1) that there was a contract;

Plaintiff Lazzu, contends that IDTA, LLC in which was located at the time the Policy Claim was 930 E. Mount Hope Avenue; Lansing, MI. 48910-3262 and the Insurance Policy named to IDTA on June 18, 2020, thus, the Policy period was from July 1, 2020 through July 1, 2021, see Attachment A. On February 6, 2021, Remona Lysa Brown's 2013 Nissan Sentra was stolen and was reported to Lansing Police Department a report was preprepared for Case No. 2151901236 and on February 26, 2021, Ms. Brown contacted Lansing Police Department to report a burglary at IDTA's place of business at 930 E. Mount Hope Avenue in Lansing, Michigan. LAPD Officer Daniel Salinaz's report for Case No. 215901822, listing the date of the burglary from February 5 and February 26, see Attachment B.

Plaintiff Lazzu of IDTA LLC, states that there was in fact a contract between the parties, see Harts v. Farmers Ins. Exch., 461 Mich. 1, 7; 597 N.W.2d 47 (1999) (The Michigan Supreme Court has described "the relationship between the insurer and insured as "a contrautual one."), thus, a contract did exist in which satisfies prong number one in the matter herein.

(2) that the other party breached the contract;

Plaintiff Lazzu of IDTA LLC, asserts that the Defendant Berkshire Hathaway Insurance Company breached the contract when on December 30, 2021, they denied Plaintiff's Insurance

Claim of loss of property, see Attachment B. The Defendant has refused to reimburse the Plaintiff for property loss in which satisfies the second prong in the case herein.

(3) that the party asserting breach of contract suffered damages as a result of the breach;

Plaintiff Lazzu of IDTA, LLC, states that due to the burglary at IDTA's place of business, thus, have suffered damages as the result of Defendant's breach of contract in the sum of \$85,000.00, in which should be awarded to Plaintiff in accordance with Michigan law, see Doe, 308 Mich. App. at 601 (2014).

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/16/2022

Signature of Plaintiff

Printed Name of Plaintiff

x Virginia Lazzu
Virginia Lazzu

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Ms. Virginia Lazzar

P.O. Box

Bigelow, M.

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